

Notice of Allowability

Application No.

10/031,489

Examiner

Arthur L. Corbin

Applicant(s)

CHASSAGNE ET AL.

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07-24-06 amendment, remarks and Appeal Brief.
2. ☒ The allowed claim(s) is/are 35,37,39-48,50,51,67,68 (renumbered 1-16).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 092806.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Philip DuBois on September 28, 2006.

2. Cancel claims 49, 52, 54, 56-66, 69 and 70. In claim 35 (renumbered 1): line 13 (last line on page 2 of the July 24, 2006 amendment), after "or" add - - in which - -; line 15, before "m" add - - with - -; line 16, after the first comma, add - - and - -; and line 17, change "R4" to - - R3 - - (wherein said lines 15-17 are at the top of page 3 of said amendment). In claim 39 (renumbered 3), line 2, after "from" add - - the group consisting of - -. In claim 40 (renumbered 4), line 2, cancel "first" and line 3, cancel "second". In claim 41 (renumbered 5), line 2, change "35" to - - 40 - -. In each of claims 41, 42 and 45 (renumbered 5, 6, 9), before "(A)" add - - of group - -. In claims 43, 44 and 45 (renumbered 7, 8, 9), before "(B)", add - - of group - -. In claim 44, line 2, after "from" add - - the group consisting of". In claim 45, line 4, change "at 0" to - - in an amount up - -. In claim 48 (renumbered 12): line 2, change "dicarboxylic" to - - polycarboxylic - - and after "from" add - - the group consisting of - -; and line 3, change "a...and" to - - an amount up to - -. In claim 50 (renumbered 13), line 2, change "from 0" to - - up - - and line 3, cancel ",in particular dicarboxylic,". In claim 67 (renumbered 16),

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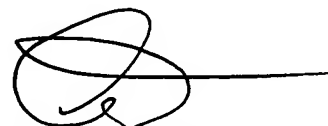
add a comma after "cheese" and after "coating". In claim 68 (renumbered 15): line 2, after "of" add - - ethylene and - -; line 3, cancel "and of ethylene" and line 3, cancel "of".

3. The title of the application is amended to read - - Process For Coating Cheese - -.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur L. Corbin whose telephone number is (571) 272-1399. The examiner can normally be reached on Monday-Friday from 10:30 AM to 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton I. Cano, can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arthur L. Corbin
Primary Examiner
Art Unit 1761

9-28-06